

Camden County Board of Commissioners**Regular Meeting****July 21, 2008****7:00 P.M.****Historic Courtroom, Courthouse Complex
Camden, North Carolina****MINUTES**

The regular meeting of the Camden County Board of Commissioners was held on Monday, July 21, 2008 at 7:00 p.m. in the Historic Courtroom, Camden, North Carolina. The following members were present:

Chairman Jeffrey B. Jennings

Vice Chairman Philip Faison

Commissioners Melvin J. Jeralds, Sandy Duckwall and Mike Andrews

Also attending was Personnel Technician Stephanie Jackson, Clerk to the Board Ava Gurganus and County Attorney John Morrison. County Manager Randell Woodruff was absent due to attending educational classes in Virginia.

Chairman Jeffrey Jennings called the meeting to order and called upon Commissioner Mike Andrews to give the invocation and lead those present in the Pledge of Allegiance.

Public Comments

Chairman Jeffrey Jennings called for any comments from the public.

Nancy M. Ferebee, 337 North 343, voiced her concern regards the selection of vinyl shutters for the courthouse wings and stated paneled wooden shutters would be more appropriate to maintain the integrity of the historic courthouse. Mrs. Ferebee offered to assist in the installation of wooden shutters instead of the county's purchase of vinyl shutters.

Permit Officer Dave Parks introduced the new GIS Technician Thomas Burk.

Consideration of Agenda

Commissioner Philip Faison made a motion to approve the agenda as presented. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings.

At the recommendation of the County Attorney, Commissioner Philip Faison amended his motion to approve the agenda to add *Item 6. B. Closed Session for discussion with the County Attorney regarding the Noblitt property financing*. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings.

Consent Agenda

Commissioner Melvin Jeralds made a motion to approve the consent agenda as presented. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

July 07, 2008 Regular Meeting Minutes subject to correction of typographical and technical errors.

Tax Releases, Pick Ups & Refunds

<u>Name</u>	<u>Amount</u>	<u>Type</u>	<u>Reason</u>	<u>No.</u>
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Crystal Taber	\$258.80	Release	Military Exempt	9966
Gregmor Constr.	\$146.71	Release	Wrong County	10154
Gregmor Constr.	\$146.71	Release	Wrong County	10153
Henning Bartlett	\$313.36	Pick Up	Roll Back Tax	9905
Henning Bartlett	\$525.29	Pick Up	Roll Back Tax	9904
Tiffany Banks	\$135.06	Pick Up	Wrong County	9959
Lucian Gregory	\$145.16	Pick Up	Roll Back Tax	9964
A. Gregory Buckley	\$341.51	Pick Up	Roll Back Tax	9903
H.A. Leary Heirs	\$795.12	Pick Up	Roll Back Tax	9916

Refunds to be Issued by Finance Office in the amount of \$104.55.

Authorization to Collect – March Renewals

**STATE OF NORTH CAROLINA
COUNTY OF CAMDEN**

TO: The Tax Administrator of Camden County (Mar Ren.) Due 7/1/08

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon personal property of the respective taxpayers in the County of Camden, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell personal property of such taxpayers for and on account thereof, in accordance with the law.

SOUTH MILLS	COURTHOUSE	SHILOH	TOTAL
16,398.31	18,753.55	10,491.67	45,643.53

Witness my hand and official seal this 21st day of July 2008.

Chairman, Camden County Board of Commissioners

Attest:

Clerk to the Board of Commissioners of Camden County

This is to certify that I have received the tax receipts and duplicates for collection in the amounts as listed herein.

Tax Administrator of Camden County

Tax Collection Report – June 2008 in the amount of \$112,755.94.

Annual Settlement Report for FY2007-2008

Real Estate	2007	\$164,990.39
	Personal Property	\$ 2,757.68
	Vehicles	\$ 77,648.31
	Utilities	\$ 0.00

Budget Amendment 2008-09-BA002

**2008-09-BA002
CAMDEN COUNTY BUDGET AMENDMENT**

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the Capital Reserve Fund as follows:

		AMOUNT	
ACCT NUMBER	DESCRIPTION OF ACCT	INCREASE	DECREASE
Expenses:			
716600-549200	Hyde/Morrisette House	\$150,000.00	
716600-549300	Morrisette Property	\$150,000.00	
716600-599900	Fund Reserves		\$300,000.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 21st day of July, 2008.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

Set Public Hearing for FY2008 CDBG Scattered Site Housing Block Grant for August 4, 2008

Set Public Hearing for Purchase & Financing of Noblitt Property for August 4, 2008

Set Public Hearing for Purchase & Financing of Morrisette Property for August 4, 2008

Set Public Hearing for Close Out of CDBG Urgent Need Project # 05-C-1420 for August 4, 2008

• **End of Consent Agenda**

Old Business - Consideration of Ordinance No. 2008-06-01 – Amendment to Chapter 113 (Peddlers & Solicitors) of the Camden County Code of Ordinances

Following discussion, Commissioner Sandy Duckwall made a motion to approve Ordinance No. 2008-06-01 with the following amendments to the draft ordinance. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

(A) Intent. Delete in residential areas of the county and add countywide.

H. (4) The sale of offering for sale of goods, wares, merchandise, food, periodicals or services by bona fide members or representative of charitable, religious, civic, or fraternal organizations which their services, and such sale or offering by children under the age of 19 years who are students in a public or private school for school activities.

Strike Exemptions..

Change County Manager and Clerk to the Board to Sheriff or his designee throughout the ordinance.

Add the State Statute for penalty of violation of the ordinance.

Approved Ordinance No.2008-06-01 reads as follows:

Ordinance No. 2008-06-01

**An Ordinance
Amending the Camden County
Code of Ordinances**

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Chapter 113 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on April 21, 2003, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions

to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

Article III. Amend Chapter 113 as amended of the Camden County Code of Ordinances which shall read as follows:

CHAPTER 113: PEDDLERS AND SOLICITORS

§ 113.01 INTENT; PERMIT REQUIREMENTS AND APPLICATIONS; REVOCATION OF PERMITS; EXCEPTIONS.

(A) *Intent.* The purpose of this section is to regulate the door-to-door offering for sale and selling of goods, wares, merchandise, food, periodicals and services and the solicitation of orders therefore ~~in residential areas of the county~~ Countywide, and to thereby promote the public safety and welfare.

(B) *Permit required.* It is unlawful for any person, firm or corporation to sell, offer for sale, or solicit orders for goods, wares, merchandise, food, periodicals or services by going from door-to-door (“peddle” or “solicit”) or to beg or panhandle, within the county without having first secured a peddler/solicitor's permit from the county as provided for in this section, unless it is done with the prior request or invitation of the residents or occupants of the premises visited. Additionally, it is unlawful to peddle, solicit, beg, or panhandle unless the following requirements are met:

(1) Such peddling, soliciting, begging or panhandling shall be permitted only between the hours of 9:00 a.m. and 6:00 p.m. ~~during Eastern Daylight Time and 9:00 a.m. to 5:00 p.m. during Eastern Standard Time.~~

(2) The peddler/solicitor permit issued for that person shall be carried and displayed at all times while conducting such solicitations in such a manner as to be clearly visible to a reasonable person of adequate vision.

(3) All other permits or licenses required by law shall have been obtained.

(C) *Permit applications..*

(1) Applications for peddler/solicitor permits under this section shall be submitted to include a twenty-five dollar permit fee to the Tax Department during normal business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m. ~~Eastern Time~~) on a form provided by the ~~Tax Department Sheriff's Office under oath~~, and shall include, but not be limited to, the following information:

(a) The full name of the applicant;

(b) The permanent residence address of the applicant;

(c) The applicant's temporary address in or in the vicinity of the county, if applicable;

(d) The name and address of the applicant's employer or the organization with which the applicant is associated in connection with the begging, panhandling, sale activity, or solicitation of orders;

(e) The type of donations, goods, wares, merchandise, food, periodicals and services to be requested, sold or offered for sale;

(f) The period for which the application is sought, which shall not exceed 60 consecutive calendar days; provided that the permit may be renewed for 60-day periods without limit, upon proper application therefore;

(g) A record of any and all crimes of which the applicant has been convicted or has pleaded no contest in the ten years preceding the submittal of the application;

(h) The age, height, weight, and any other additional information which the county may reasonably require for identification, including a copy of the document used by the applicant to verify personal identification (e.g., driver's license, passport, picture I.D.);

(i) A complete listing of and information concerning all other permits or licenses, such as privilege licenses, which were obtained by the applicant.

(2) If an application is filed by an employer, there shall also be filed separate applications for each peddler, solicitor, beggar and panhandler, giving the information set forth above for each peddler, solicitor, beggar and panhandler and signed and sworn to by each peddler/solicitor, and a separate permit shall be issued for each applicant.

(D) *Procedures for considering applications.*

(1) Upon receipt of a complete application, the Sheriff or designee (hereafter “Sheriff”) shall make or cause to be made such investigation as reasonably necessary to verify the information in

the application and to assure compliance with the provisions of this section and shall issue a permit unless the applicant:

(a) Has not submitted a completed application;

(b) Is not permitted by law to engage in such activity due to age;

(c) Has been convicted of, or has pleaded no contest to, a felony charge within the ten years preceding the submittal of the application;

(d) Has been, within the previous five years, convicted of, or pleaded no contest to, a misdemeanor charge involving theft, fraud, forging, uttering, or other crimes of like nature or any crime involving moral turpitude;

(e) Does not have valid driving privileges in the state in those cases where the applicant will be operating a vehicle in the course and scope of the peddling, soliciting, begging, or panhandling; or

(f) Has not obtained any necessary licenses.

(2) The Sheriff shall approve or deny an application and issue a permit as soon as possible and, except in the case of extraordinary circumstances, as when a number of applications are submitted within a short period of time, should act within five business days of receipt of the completed application. Such issued permit shall be nontransferable.

(E) *Permit renewal.* A peddler/solicitor permit may be renewed for an unlimited number of 60-day periods, provided an application for renewal is made on such form as provided by the ~~Tax Department~~ Sheriff's office no later than the expiration date on the current valid permit. Applications received after that date shall be processed as new applications. The Sheriff shall review each application for renewal to determine that the applicant is in full compliance with the provisions of this section. If the Sheriff's ~~department~~ office finds that the application meets the above requirements, the renewal permit shall be issued.

(F) *Appeals.* The appeal of a refusal to issue a permit or the revocation of a permit shall be made to the ~~county manager~~ Sheriff's office by filing a written notice of appeal, specifying with particularity the grounds upon which the appeal is made, no later than ten days from the date of the refusal to issue a permit or the revocation of a permit. The ~~county manager~~ Sheriff's Office or designee (~~"county manager"~~) shall fix a reasonable time for the hearing of the appeal, shall give due notice to all parties, and shall render a decision within a reasonable time. The order or decision of ~~county manager~~ Sheriff shall be the final county action for the purpose of judicial review.

(G) *Revocation of permit.* Permits issued under this section may be revoked in accordance with §113.02. Additional grounds for revocation of a permit include, where evidence is presented, that the applicant has been arrested for a felony or a misdemeanor involving theft, fraud, forgery, moral turpitude, criminal trespass, or a threat to the public safety during the peddling/solicitation period, or has otherwise violated the provisions of this section. A permit which has been revoked shall be immediately surrendered to the Sheriff's ~~department~~ office. Appeals of revocations may be made pursuant to the same process as for denied permits.

(H) *Exemptions.* This section shall not apply to:

(1) A peddler or an itinerant merchant who sells only one or more of the following types of merchandise:

(a) Farm or nursery products produced by the merchant.

(b) Crafts or goods made by the merchant.

(c) The merchant's own household personal property.

(d) Printed material

(e) Wood for fuel.

(f) Ice, seafood, meat, poultry, livestock, eggs, dairy products, bread, cakes, or pies.

(2) A peddler or an itinerant merchant who is an authorized automobile dealer licensed pursuant to Chapter 20 of the General Statutes.

(3) A peddler or an itinerant merchant who is a nonprofit charitable, educational, religious, scientific, or civic organization.

(4) A peddler who maintains a fixed permanent location from which at least ninety percent (90 %) of the peddler's sales are made but who sells some goods in the county of the fixed location by peddling.

(5) An itinerant merchant who meets any of the following descriptions:

(a) Locates at a farmer's market.

(b) Is part of the State Fair or an agriculture fair that is licensed by the Commissioner of Agriculture pursuant to G.S. 106-520.3.

(c) Sells goods at an auction conducted by an auctioneer licensed pursuant to Chapter 85B of the General Statutes

(6) A peddler who complies with the requirements of G.S. 25A-38 through G.S. 25A-42, or who complies with the requirements of G.S. 14-401.13.

(4 7) The delivery of goods or services which have been ordered before delivery;

(2 8) The circulation of petitions for signature or lawful distribution of advertising materials, flyers, or materials expressing views on political, social or religious matters;

(3 9) The lawful promotion or expression of views concerning political, social, religious and other like matters;

~~—(4) The sale or offering for sale of goods, wares, merchandise, food, periodicals or services by bona fide members or representatives of charitable, religious, civic, or fraternal organizations which are exempt from the payment of privilege licenses, and who receive no compensation of any kind for their services, and such sale or offering by children under the age of 18 19 years who are students in a public or private school for school activities;~~

~~(5) The solicitation of contributions or pledges thereof for bona fide nonprofit organizations;~~

(6 10) The sale or delivery of goods to business establishments;

~~(7) The sale or soliciting of orders for the sale of milk, dairy products, vegetables, poultry, eggs, and other farm and garden produce so far as the sale of such commodities named herein is now authorized by law.~~

§ 113.02 LICENSES OR PERMITS; REFUSAL TO ISSUE, SUSPENSION, REVOCATION; NOTICE, HEARING.

(A) The ~~county~~ Sheriff may refuse to issue a license or permit, or the licenses or permits issued pursuant to this chapter, unless otherwise provided hereunder, may be suspended or revoked by the County Manager or other authorized official, department, board or agency where applicable, after notice and hearing for any of the following causes:

(1) Any fraud, misrepresentations or false statements contained in the application for permit or license;

(2) Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares, merchandise and services;

(3) Any violation of this chapter and/or any ordinance of the county;

(4) Conviction of the applicant, licensee or permittee of any crime or misdemeanor involving moral turpitude or a violation of any act of this state, or any law of the United States having a reasonable relationship to the purpose and scope of the permit or license;

(5) Conducting the activity under this chapter and/or any ordinance of the county in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, morals or general welfare of the public.

(B) Notice of hearing for the suspension or revocation of a license or permit shall be in writing given by the ~~Clerk to the Board of Commissioners~~ Sheriff or his designee, setting forth specifically the grounds of the complaint and the time and place of the hearing. Service of such notice shall be made either by personal service or by certified mail, return receipt requested, to the applicant, licensee or permittee at the last known address, at least five days prior to the date set for the hearing.

(C) In case of refusal to issue a permit or license or the suspension or revocation of a license or permit as herein provided, no portion of the application, license or permit fee shall be returned to the applicant, licensee or permittee unless otherwise provided in this chapter and/or any ordinance of the county.

(D) Any suspension or revocation hereunder shall not be considered a recovery or penalty so as to bar any other penalty from being enforced.

(E) The order of the ~~County Manager~~ Sheriff or other authorized official, department, board or agency where applicable, shall be the final county action for the purpose of judicial review.

§ 113.03 PENALTIES

(A) Violations of the provisions of this chapter or failure to comply with any of its requirements, shall constitute a misdemeanor, punishable by a fine of up to \$500 or a maximum 30 days imprisonment, as provided in G.S. § 14-4.

Adopted by the Board of Commissioners for the County of Camden this 21st day of July, 2008.

(SEAL)

County of Camden

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

Public Hearing - FY2009 Rural Operating Assistance Program (ROAP)

Commissioner Melvin Jeralds made a motion to go into public hearing to receive comments from the public regarding the FY2009 ROAP. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Chairman Jeffrey Jennings called for any comments from the public.

Hearing no comments, Commissioner Melvin Jeralds made a motion to close the public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing - Closing out of Northeastern Community Development Corporation (NCDC) FY 2004 Community Development Block Grant #03-C-1210

Commissioner Philip Faison made a motion to go into public hearing to receive comments from the public regarding the closing out of the NCDC FY2004 Community Development Block Grant #03-C-1210. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Chairman Jeffrey Jennings called for any comments from the public.

Hearing no comments, Commissioner Sandy Duckwall made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Consideration of FY2009 Rural Operating Assistance Program

ROAP consists of three (3) elements: Elderly & Disabled Transportation Assistance Program (EDTAP); Employment Transportation Assistance Program (EMP)/Work First; Rural General Public (RGP).

With the exception of the EMP/Work First element, which is administered by the Camden County Social Services Department, this program is administrated regionally through the InterCounty Public Transit Agency (ICPTA). As in past years, Herb Mullen, ICPTA Director, will continue assisting the County in its application.

The amount allocated for the ROAP is:

EDTAP	\$35,796
EMP/Work First	\$ 2,659
Rural Gen Public	<u>\$33,685</u>
Total	\$72,140

Commissioner Melvin Jeralds made a motion to approve the FY2009 ROAP Application and authorize the Chairman and staff to execute the necessary documents. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Consideration of Closing Out of NCDC FY2004 CDBG

Commissioner Sandy Duckwall made a motion to approve the closing out of the NCDC FY2004 CDBG. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Refund to be Issued by the Finance Office – Zenas Jennings

Commissioner Melvin Jeralds made a motion to recuse Chairman Jeffrey Jennings due to a family conflict of interest. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, and Mike Andrews voting aye; no Commissioner voting no; no Commissioner absent; Chairman Jeffrey Jennings abstained; and no Commissioner not voting.

Chairman Jeffrey Jennings did not participate in any discussion, and turned the meeting over to Vice Chairman Philip Faison.

Commissioner Melvin Jeralds made a motion to approve the refund to be issued by the Finance Office for Zenas Jennings in the amount of \$424.12. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, and Mike Andrews voting aye; no Commissioner voting no; Chairman Jeffrey Jennings recused; no Commissioner absent; and no Commissioner not voting.

New Business - Vehicle Tax Appeal – Shelton Trent Riggs

Chairman Jeffrey Jennings removed this item from the agenda because Mr. Riggs chose not to attend.

New Business - Property Tax Refund Request – First American

Commissioner Philip Faison made a motion to approve the property tax refund request from First American in the amount of \$1,445.65. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Albemarle Commission Contract – Senior Center

Commissioner Melvin Jeralds made a motion to approve the contract with Albemarle Commission for the Senior Center. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Board Appointment – Workforce Development Board

Commissioner Mike Andrews made a motion to approve reappointment of Marcy Bergman to the Workforce Development Board with a term expiring June 30, 2009. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Lease Agreement – Sheriff Satellite Office

Commissioner Melvin Jeralds made a motion to approve the Lease Agreement with Elton and Judy Sawyer for the South Mills Sheriff Satellite Office beginning January 1, 2008 through December 31, 2008. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Resolution No. 2008-07-03 – A Resolution of the Camden County Board of Commissioners Authorizing The Filing of an Application for Approval of a Financing Agreement Authorized by NCGS 160A-20 (Noblitt Property)

Commission Philip Faison made a motion to approve Resolution No. 2008-07-03, seconded by Commissioner Melvin Jeralds and passed by a vote of five (5) to zero (0).

Approved Resolution No. 2008-07-03 reads as follows:

Resolution No. 2008-07-03**A Resolution of the Camden County Board of Commissioners Authorizing The Filing of an Application for Approval of a Financing Agreement Authorized By North Carolina Statute 160A-20**

WHEREAS, the County of Camden, Camden, North Carolina desires to purchase and finance property located on North NC Highway 343 (the “Project”) for the purpose of future school facilities to better serve the children and citizens of Camden County; and

WHEREAS, the County of Camden, Camden, North Carolina desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Camden, North Carolina, meeting in regular session on the 21st day of July, 2008, make the following findings of fact:

1. The proposed contract is necessary because the Camden County Board of Commissioners and the Camden County Board of Education have come to the conclusion that in the near future a new high school facility will need to be constructed and property for such a facility will be required.
2. The proposed contract is preferable to a bond issue for the same purpose because:
 - A. A bond issue would cost more in legal fees and issuance costs than a contract;
 - B. The length of time needed to conduct an election for a general obligation bond would likely deteriorate the county’s opportunity to purchase this property;
 - C. Camden County desires to finance the project because the county does not have \$1,500,000 in reserves to finance the project internally and the owner is agreeable to finance with no interest.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose of securing land for future school facilities.
4. The County of Camden’s debt management procedures and policies are good because Camden County follows the local government financial management statutes, performs regular audits by a certified public accountant, maintains a low debt ratio, and maintains a positive fund balance in the General Fund. On June 4, 2007, the Camden County Board of Commissioners approved two (2) resolutions regarding policies and creating a County Capital Reserve Fund and a five (5) Year Camden County Capital Improvement Plan, which are attached.
5. The increase in taxes necessary to meet the sums to fall due under the proposed contract will be -0- cents per \$100 valuation. Land Transfer revenues will be use in securing the property.
6. The County of Camden is not in default in any of its debt service obligations.
7. The attorney for the County of Camden, Camden, North Carolina has rendered an opinion that the proposed Project is authorized by law and is a purpose for which

public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Manager is hereby authorized to act on behalf of the County of Camden, Camden, North Carolina, in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 21st day of July 2008.

The motion to adopt this resolution was made by Commissioner Philip Faison, seconded by Commissioner Melvin Jeralds and passed by a vote of five (5) to zero (0).

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus, Clerk to the Board

This is to certify that this is a true and accurate copy of Resolution No. 2008-07-03 adopted by the Camden County Board of Commissioners on the 21st day of July, 2008.

Ava J. Gurganus, Clerk to the Board

July 21, 2008
Date

New Business - Resolution No. 2008-07-04 – A Resolution of the Board of Commissioners for Camden County, North Carolina, Making A Declaration of Intent to Reimburse (Noblitt Property)

Commissioner Sandy Duckwall made a motion to approve Resolution No. 2008-07-04, second by Commissioner Philip Faison and passed by a vote of five (5) to zero (0).

Approved Resolution No. 2008-07-04 reads as follows:

Resolution No. 2008-07-04

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
FOR CAMDEN COUNTY, NORTH CAROLINA,
MAKING A DECLARATION OF INTENT TO REIMBURSE**

Whereas, the Camden County Board of Commissioners is working to finance the purchase of property for future school facilities.

Now, Therefore, Be It Resolved, that the Board of County Commissioners for Camden County, North Carolina, meeting this 21st day of July, 2008, in Camden, North Carolina, does hereby adopt the following declaration (the “Declaration”) of official intent to reimburse. This declaration is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section. The undersigned is authorized to declare the official intent of the County of Camden, North Carolina, (the “Issuer”) with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the “Expenditures” which include down payment and nine future yearly payments.
2. **Plan of Finance.** The Issuer intends to finance the costs of the Project with funds from the Special Capital Reserve Fund. Revenues for this fund are the collections of Land Transfer Tax.
3. **Maximum Principal Amount of Debt to be Issued.** The Maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is one million five hundred thousand dollars (\$1,500,000).

4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

The motion to adopt this resolution was made by Commissioner Sandy Duckwall, seconded by Commissioner Philip Faison and passed by a vote of five (5) to zero (0).

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to Board

(SEAL)

New Business - Resolution No. 2008-07-05– A Resolution of the Camden County Board of Commissioners Authorizing The Filing of an Application for Approval of a Financing Agreement Authorized by NCGS 160A-20 (Morrisette Property)

Commissioner Melvin Jeralds made a motion to approve Resolution No. 2008-07-05, second by Commissioner Philip Faison seconded and passed by a vote of five (5) to zero (0).

Approved Resolution No. 2008-07-05 reads as follows:

Resolution No. 2008-07-05

A Resolution of the Camden County Board of Commissioners Authorizing The Filing of an Application for Approval of a Financing Agreement Authorized By North Carolina Statute 160A-20

WHEREAS, the County of Camden, Camden, North Carolina desires to purchase and finance property located at 114-118 North NC Highway 343 (the “Project”) for the purpose of additional public parking to be utilized for Court hearings sessions, other events and future county facilities to better serve the citizens of Camden County; and

WHEREAS, the County of Camden, Camden, North Carolina desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Camden, North Carolina, meeting in regular session on the 21st day of July, 2008, make the following findings of fact:

1. The proposed contract is necessary because under instruction from the District Court System, Camden County is required to furnish additional parking space for all Court hearing dates and future expansion of the County Administration Building. The proposed property was inherited and the new owners desire to sell the property located at 114-118 North NC Highway 343, which is directly across the street from the Courthouse Complex.
2. The proposed contract is preferable to a bond issue for the same purpose because:
 - A. A bond issue would cost more in legal fees and issuance costs than a contract;
 - B. The length of time needed to conduct an election for a general obligation bond would likely deteriorate the county’s opportunity to purchase this property;
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the owners are agreeable to finance the property for six (6) years with no interest. The yearly payments will be disbursed from the Land Transfer Tax revenues.
4. The County of Camden’s debt management procedures and policies are good (See attached Resolutions approved on June 4, 2007.

5. The increase in taxes necessary to meet the sums to fall due under the proposed contract will be -0- cents per \$100 valuation.
6. The County of Camden is not in default in any of its debt service obligations.
7. The attorney for the County of Camden, Camden, North Carolina has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Manager is hereby authorized to act on behalf of the County of Camden, Camden, North Carolina, in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 21st day of July 2008.

The motion to adopt this resolution was made by Commissioner Melvin Jeralds, seconded by Commissioner Philip Faison and passed by a vote of five (5) to zero (0).

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus, Clerk to the Board

This is to certify that this is a true and accurate copy of Resolution No. 2008-07-05 adopted by the Camden County Board of Commissioners on the 21st day of July, 2008.

Ava J. Gurganus, Clerk to the Board

July 21, 2008
Date

New Business - Resolution No. 2008-07-06 – A Resolution of the Board of Commissioners for Camden County, North Carolina, Making A Declaration of Intent to Reimburse (Morrisette Property)

Commissioner Melvin Jeralds made a motion to approve Resolution No. 2008-07-06, seconded by Sandy Duckwall and passed by a vote of five (5) to zero (0).

Approved Resolution No. 2008-07-06 reads as follows:

Resolution No. 2008-07-06

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
FOR CAMDEN COUNTY, NORTH CAROLINA,
MAKING A DECLARATION OF INTENT TO REIMBURSE**

Whereas, the Camden County Board of Commissioners is working to finance the purchase of property for county use (Extension Offices, Parking on Court Days and expansion of county offices.

Now, Therefore, Be It Resolved, that the Board of County Commissioners for Camden County, North Carolina, meeting this 21st day of July, 2008, in Camden, North Carolina, does hereby adopt the following declaration (the “Declaration”) of official intent to reimburse. This declaration is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section. The undersigned is authorized to declare the official intent of the County of Camden, North Carolina, (the “Issuer”) with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the “Expenditures” which include down payment and six (6) future yearly payments.
2. **Plan of Finance.** The Issuer intends to finance the costs of the Project with funds from the Special Capital Reserve Fund. Revenues for this fund are the collections of Land Transfer Tax.

3. **Maximum Principal Amount of Debt to be Issued.** The Maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is seven hundred fifty thousand dollars (\$750,000).
4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

The motion to adopt this resolution was made by Commissioner Melvin Jeralds, seconded by Commissioner Sandy Duckwall and passed by a vote of five (5) to zero (0).

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to Board

(SEAL)

South Camden Water & Sewer District Board of Directors

Chairman Jeffrey Jennings recessed the regular Board of Commissioners meeting and called the South Camden Water and Sewer District Board of Directors to order at 7:34 p.m.

Member Sandy Duckwall made a motion to adjourn the South Camden Water and Sewer District Board of Directors meeting at 7:35 p.m. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Member voting no; no Member absent; and no Member not voting.

Closed Session

Commissioner Philip Faison made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with attorney regarding the financing of the Noblitt property. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 7:36 p.m.

Commissioner Sandy Duckwall made a motion to come out of closed session and back into regular session. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners re-entered regular session at 7:55 p.m.

Commissioner's Report

Commissioner Sandy Duckwall informed the Board that the Wesley House Board meets during lunch time and due to her working schedule, she will no longer be able to serve on the Wesley House Board.

Following discussion, Commissioner Sandy Duckwall will ask the Wesley House Board to appoint someone to replace her.

Chairman Jeffrey Jennings stated that the jail project is running smoothly at this time and the Hospital is starting negotiations with Eastern Carolina Regional Medical.

County Manager's Report

Finance Officer Clarann Mansfield stated that four (4) building permits applicants have paid the \$10,249.00; one (1) in South Mills, three (3) in Courthouse Township, and the money from the sale of the Cuthrell House property has been received.

Adjournment

Commissioner Sandy Duckwall made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 8:12 p.m.

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board